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Attorneys for NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

IN RE:

: CHAPTER 13

Bonnie Marbley

: CASE NO. 19-23379 - RG

Debtor(s)

**: CERTIFICATION IN SUPPORT OF  
: RESPONSE TO DEBTOR'S MOTION FOR  
: AN ORDER APPROVING MORTGAGE  
: LOAN MODIFICATION AS TO  
: SHELLPOINT MORTGAGE SERVICING**

I, Andrew L. Spivack, Esquire do hereby certify that I am an attorney at law in the State of New Jersey for the Law Firm of Phelan Hallinan Diamond & Jones, PC, and our firm represents NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING (hereinafter referred to as "Respondent") in the above captioned matter. On behalf Respondent and in support thereof, the following Answers are provided as follows:

1. On June 24, 2020, Debtor filed a Motion for an Order Approving Mortgage Loan Modification as to Shellpoint Mortgage Servicing. The Debtors' Motion proposes to modify the loan as to real property located at 403 West 5<sup>th</sup> Avenue, Roselle, NJ 07203 (hereinafter referred to as "subject property").
2. The court should be aware that the Homeowner and spouse are both deceased. The Daughter, Bonnie Marbley, who is the Debtor in this bankruptcy case is assuming the loan and is asking for a loan modification.

3. After reviewing the Motion, Respondent has a limited objection to the Motion. In order for the loan modification to be implemented the Debtor must provide an Assumption of the Loan and simultaneously sign the loan documents in order for Respondent to process the loan modification since the original Homeowner and spouse are deceased.
4. In light of the facts outlined above, NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING respectfully requests this Court deny Debtor's Motion for an Order Approving Mortgage Loan Modification as to Shellpoint Mortgage Servicing.
5. This Certification is made in Support of Response to Debtor's Motion for an Order Approving Mortgage Loan Modification as to Shellpoint Mortgage Servicing.
6. No brief is necessary, as the facts the petition relies upon do not present complicated question of fact or unique question of law.
7. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**WHEREFORE**, Respondent, NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING, respectfully requests that this Honorable Court deny Debtor's Motion for an Order Approving Mortgage Loan Modification as to Shellpoint Mortgage Servicing; unless the Debtor

execute an Assumption of the Loan and simultaneously sign the loan documents in order for  
NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING to process the loan modification.

Dated: July 29, 2020

/s/ Andrew L. Spivack, Esquire  
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